



IAP3 Rec'd PCT/PTO 36 JAN 2006

10/530151

PATENT

Attorney Docket No. 5051-660

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Burkholder et al.

Confirmation No.: 2957

Application No.: 10/530,151

International Application: PCT/US03/33637

International filing date: October 17, 2003

For: *Water Soluble Toxin Produced by Pfiesteria*

Date: January 6, 2006

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

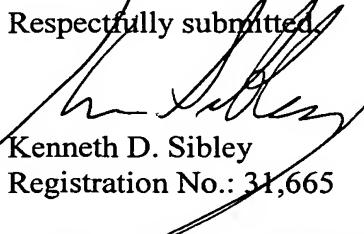
In response to the August 8, 2005 Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office issued regarding the above-identified patent application, enclosed are:

- 1) an executed Declaration and Power of Attorney document (7 pages);
- 2) a copy of the Notification; and
- 3) a Petition for three month Extension of Time
- 4) a check in the amount \$1,150 (\$130.00 for the surcharge under 37 CFR 1.16(f) and \$1020.00 for three-month extension of time) of as payment of the surcharge.

The amount enclosed is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No 50-0220.

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Respectfully submitted


Kenneth D. Sibley
Registration No.: 31,665

RECEIVED
O I P E / I A P

JAN 11 2006

01/13/2006 ATRAM1 00000145 10530151

01 FC:1617

130.00 0P

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

Express Mail Label No.: EV 769243010 US

Date of Deposit: January 6, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Amelia Tauchen



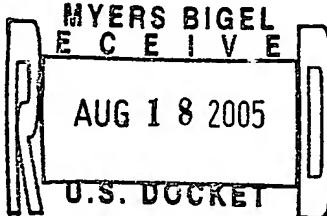
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

KDS

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,151	JoAnn Burkholder	5051-660
		INTERNATIONAL APPLICATION NO.
		PCT/US03/33637
LA. FILING DATE		PRIORITY DATE
10/17/2003		10/24/2002
CONFIRMATION NO. 2957		
371 FORMALITIES LETTER		
 OC000000016715039		

20792
 MYERS BIGEL SIBLEY & SAJOVEC
 PO BOX 37428
 RALEIGH, NC 27627



Date Mailed: 08/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/01/2005
- Copy of the International Search Report filed on 04/01/2005
- Information Disclosure Statements filed on 04/01/2005
- U.S. Basic National Fees filed on 04/01/2005
- Priority Documents filed on 04/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICH EVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,151	PCT/US03/33637	5051-660

FORM PCT/DO/EO/905 (371 Formalities Notice)